

117TH CONGRESS  
1ST SESSION

# S. 2643

To adjust certain ownership and other requirements for passenger vessels,  
and for other purposes.

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IN THE SENATE OF THE UNITED STATES

AUGUST 5, 2021

Mr. LEE introduced the following bill; which was read twice and referred to  
the Committee on Commerce, Science, and Transportation

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## A BILL

To adjust certain ownership and other requirements for  
passenger vessels, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Open America’s Ports  
5 Act”.

6 **SEC. 2. REPEAL OF PVSA AND ADJUSTMENT OF JONES ACT**  
7 **REQUIREMENTS FOR PASSENGER VESSELS.**

8 (a) REPEAL OF PVSA DOMESTIC REQUIREMENTS.—

9 Section 55103 of title 46, United States Code (commonly

1 referred to as the “Passenger Vessel Services Act of  
2 1886”), is repealed.

3 (b) ADJUSTMENT OF JONES ACT REQUIREMENTS.—  
4 Chapter 121 of title 46, United States Code, is amended—

5 (1) in section 12103, by adding at the end the  
6 following:

7 “(d) NONAPPLICABILITY.—The requirements of this  
8 section shall not apply to any vessel that transports pas-  
9 sengers between ports or places in the United States to  
10 which the coastwise laws apply, either directly or via a  
11 foreign port.”;

12 (2) in section 12112(a)—

13 (A) in paragraph (1), by inserting “except  
14 in the case of a vessel described in subpara-  
15 graph (C) of paragraph (2),” before “satisfies”;  
16 and

17 (B) in paragraph (2)—

18 (i) in subparagraph (A), by striking  
19 “or” after the semicolon;

20 (ii) in subparagraph (B)(iii), by strik-  
21 ing “; and” and inserting “; or”; and

22 (iii) by adding at the end the fol-  
23 lowing:

24 “(C) transports passengers between ports or  
25 places in the United States to which the coastwise

1 laws apply, either directly or via a foreign port;  
 2 and”; and

3 (3) in section 12121(b), by striking “55102,  
 4 and 55103” and inserting “and 55102”.

5 (c) ADJUSTMENT OF CITIZENSHIP AND NAVY RE-  
 6 SERVE REQUIREMENTS.—Section 8103(k) of title 46,  
 7 United States Code, is amended to read as follows:

8 “(k) EXEMPTION FOR PASSENGER VESSELS.—Sub-  
 9 sections (a) and (b) shall not apply to any vessel that  
 10 transports passengers between ports or places in the  
 11 United States to which the coastwise laws apply, either  
 12 directly or via a foreign port.”.

13 (d) CONFORMING AMENDMENTS.—Chapter 551 of  
 14 title 46, United States Code, is amended—

15 (1) by repealing section 55104; and

16 (2) in section 55121—

17 (A) in the section heading, by striking  
 18 “**and passengers**”;

19 (B) by striking subsection (a);

20 (C) by striking “(b)” and all that follows  
 21 through “**States.—**”; and

22 (D) by striking “sections 55102 and 55103  
 23 of this title do” and inserting “section 55102 of  
 24 this title does”.

1 **SEC. 3. RULE OF CONSTRUCTION.**

2       Nothing in the amendments made by this Act shall  
3 be construed to exempt a vessel that transports passengers  
4 between ports or places in the United States to which the  
5 coastwise laws apply, either directly or via a foreign port,  
6 from any applicable law of the United States except as  
7 explicitly provided in such amendments.

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